

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

528,371

PCT/JP2003/012102



Applicant's or agent's file reference KAGAWA-F3PCT	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/012102	International filing date (day/month/year) 22 September 2003 (22.09.2003)	Priority date (day/month/year) 20 September 2002 (20.09.2002)
International Patent Classification (IPC) or national classification and IPC B32B 27/36, B29C 55/28		
Applicant KAGAWA, Seiji		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 12 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☒ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 20 April 2004 (20.04.2004)	Date of completion of this report 25 January 2005 (25.01.2005)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/012102

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages _____ 1-54 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- pages _____ 16, 19-25, 27-32, 34, 37, 38, 44, 52, 56, 57 _____, as originally filed/furnished
- pages* _____, as amended (together with any statement) under Article 19
- pages* 1-15, 17, 18, 26, 33, 35, 36, 39-43, 46-51, 53, 54, 58-62 received by this Authority on 20 April 2004 (20.04.2004)
- pages* 45, 55, 63, 64 received by this Authority on 22 October 2004 (22.10.2004)
- ☒ the drawings:
- pages _____ 1-27 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP03/12102

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-64	YES
	Claims		NO
Inventive step (IS)	Claims	1-64	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-64	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Claims 1-64

The subject matters of claims 1-64 are neither described in any of the documents cited in the ISR nor could have been easily arrived at from these documents by a person skilled in the art.

Box No. IV Lack of unity of invention

1. ☐ In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
☒ paid additional fees.
☐ paid additional fees under protest.
☐ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
☒ not complied with for the following reasons:

(Claims 39-44) The subject matters of claims 39-44 relate to a method for producing a polybutylene terephthalate film, and do not relate to a method for producing a lamination film of claim 1. In addition, the production method of claims 39-44 relates to inflation molding, and is not a method for giving the "shape memory" of claim 1. So, no technical relationship in the sense of PCT Rule 13 can be found between claim 1 and claims 39-44.

(Claims 45-54, 63 and 64) The "rectilinear tearability" of claims 45-54, 63 and 64 and the "shape memory" of claim 1 are quite different natures. So, no technical relationship in the sense of PCT Rule 13 can be found between claims 45-54, 63 and 64 and claim 1.

Furthermore, since the production method of claims 39-44 is not a method for giving the "rectilinear tearability," no technical relationship in the sense of PCT Rule 13 can be found between claims 39-44 and claims 45-54, 63 and 64 either.

(Claims 55-57) The "twistability" of claims 55-57 and the "shape memory" of claim 1 are quite different natures, and "numerous fine through holes and/or non-through holes being uniformly formed" of claims 55-57 is not a means for giving the "shape memory" of claim 1. So, no technical relationship in the sense of PCT Rule 13 can be found between claims 45-54 and claim 1.

Moreover, since the production method of claims 39-44 is neither a method for forming holes nor a method for giving "twistability," no technical relationship in the sense of PCT Rule 13 can be found between claims 39-44 and claims 55-57 either.

Moreover, the "twistability" of claims 55-57 and the "rectilinear tearability" of claims 45-54, 63 and 64 are quite different natures, and the "numerous fine through holes and/or non-through holes being uniformly formed" of claims 55-57 is not a method for giving "rectilinear tearability." So, no technical relationship in the sense of PCT Rule 13 can be found between claims 45-54, 63 and 64 and claims 55-57 either.

In view of the above, since claims "1-38 and 58-62," claims "39-44," claims "45-54, 63 and 64" and claims "55-57" constitute respectively different inventions, the number of inventions is considered to be four.

4. Consequently, this report has been established in respect of the following parts of the international application:

- ☒ all parts.
☐ the parts relating to claims Nos. _____